IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY PETITION NO.1056 OF 2001

In the matter of the Companies Act, 1956 (Act I of 1956);

AND

In the matter of Sections 433, 434 and 439 of the said Act;

AND

In the matter of winding-up of Koyaco Exports Pvt. Ltd.

M/s.Shanghvi Fabrics .. Petitioners

Mr.P.V.Shah for the Petitioners.

Mr.Choudhari i/b.Dhruv & Co. for the Respondent.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 25TH NOVEMBER 2005

P.C.:

. The Petitioner claims an amount of Rs.48,247/- under an arbitral award. Besides this amount, the Petitioner is entitled to interest at the rate of 18% per annum and costs of arbitration. The total amount claimed by the Petitioner against the Respondent Company is Rs.74,562/-.

2. The statutory notice served on the Respondent Company has not been replied. The learned Advocate

appearing for the Respondent Company submits that he has no instructions in the matter. In these circumstances, there is no alternative but to allow the Petition. Accordingly, the Petition is made absolute in terms of prayer clauses (a) and (b).